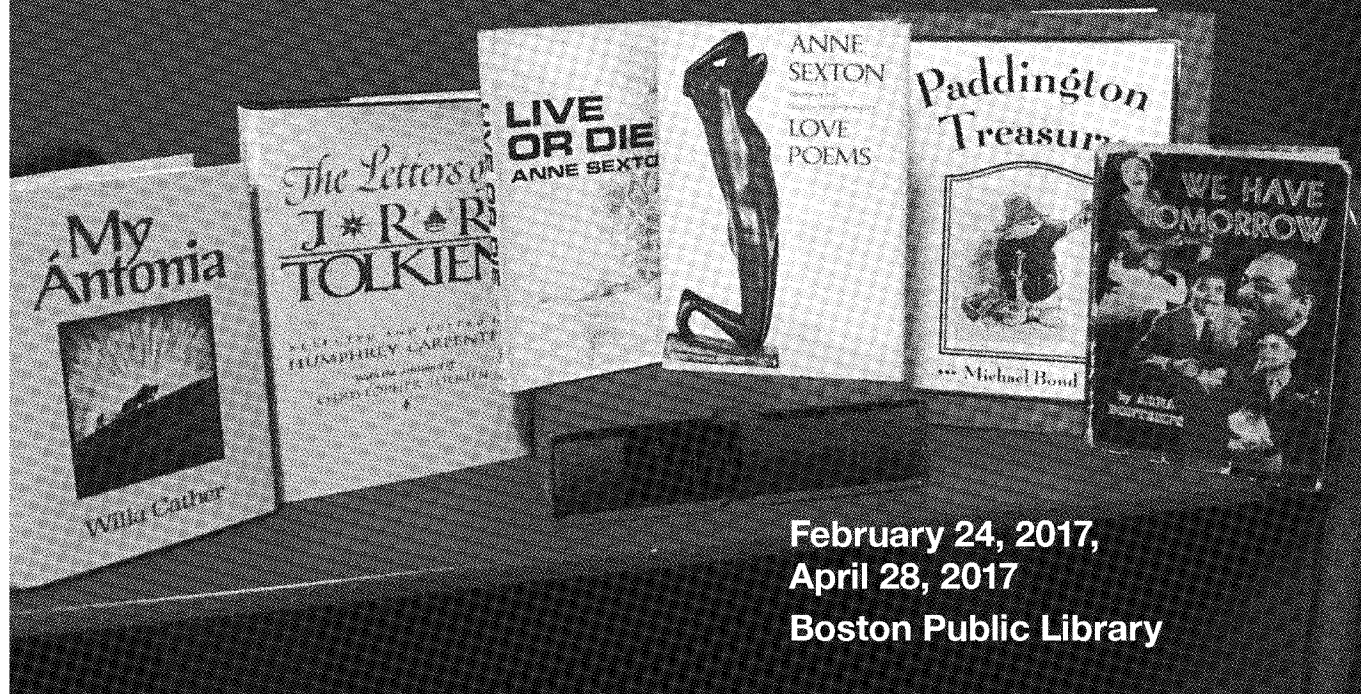


# McNamara Declaration

## Exhibit 46

### part 4

## Meeting at Boston Public Library with Houghton Mifflin Harcourt



February 24, 2017,  
April 28, 2017  
Boston Public Library

*"We are thrilled to ally ourselves with a project that will make our 19th and 20th century history available through 21st century technology. This project aligns perfectly with our mission to improve educational outcomes in underserved communities, foster curiosity, and provide materials easily and at no cost to learners of all ages. We wholeheartedly support it."*

--John Lynch, Jr. President and CEO,  
Houghton Mifflin Harcourt

These are some of the tens of thousands of classic books from Houghton Mifflin Harcourt's publishing history, dating back to 1852. HMH's authors include some of the world's most renowned women writers and poets. They are the publishers of Orwell, Sexton, Galbraith, Tolkein, and Paddington Bear.



## Copyright Scholars Meeting

May 24, 2017  
San Francisco, CA

Twenty copyright experts, gathered in San Francisco, listen to their remote colleague, **Jason Schultz**, Director of NYU's Technology Law & Policy Clinic.



**Peter Jaszi**, Professor Emeritus at American University's Washington College of Law (right) debates the issues with **Krista Cox**, of the Association of Research Libraries (left) and **Carrie Russell** of the American Library Association (center).



**Pam Samuelson**, the Richard M. Sherman Distinguished Professor of Law at University of California, Berkeley, sets the agenda at the copyright scholar's gathering.

20 of the nation's top copyright scholars gathered in San Francisco to consider controlled digital lending by libraries and fair use—the legal foundation for the *Open Libraries* model.





## Open Libraries Copyright Workshop

**Date:** May 23-24, 2017

**Location:** Denton's Law Offices, One Market Street, San Francisco, CA 94104

**Pamela Samuelson**, Professor of Law and Information at the University of California, Berkeley, School of Law, convened a gathering of Copyright and Fair Use experts to consider the digitize and lend model that the Internet Archive is proposing to expand through the MacArthur Foundation's 100&Change grant.

The workshop opened with an overview of the Internet Archive's Open Libraries project. Following that introduction, participants leapt into a robust discussion of the copyright issues raised by the project and the legal basis of the project in relation to the Constitutional objectives that motivated the founders' creation of copyright.

### Participants:

**Aaron Perzanowski**

Professor of Law  
Case Western Reserve University School of Law

**Brewster Kahle**

Founder and Digital Librarian  
Internet Archive

**Brianna Schofield**

Executive Director  
Authors Alliance

**Carrie Russell**

Director, Program on Public Access to Information  
American Library Association

**Corynne McSherry**

Legal Director  
Electronic Frontier Foundation

**David Hansen**

Director of Copyright and Scholarly Communication  
Duke University Libraries

**Greg Cram**

Associate Director of Copyright and Information Policy  
New York Public Library

**Jason Schultz (remote)**

Professor of Clinical Law and Director of the Technology Law & Policy Clinic  
New York University School of Law





**Jim Michalko**  
Senior Strategist  
Internet Archive

**Joe Gratz**  
Vice-chair of the American Bar Association IP Section's Committee on Copyright & New Technologies  
Durie Tangi, LLP  
University of California, Hastings College of the Law

**John Gonzalez**  
Director of Engineering and Service Availability  
Internet Archive

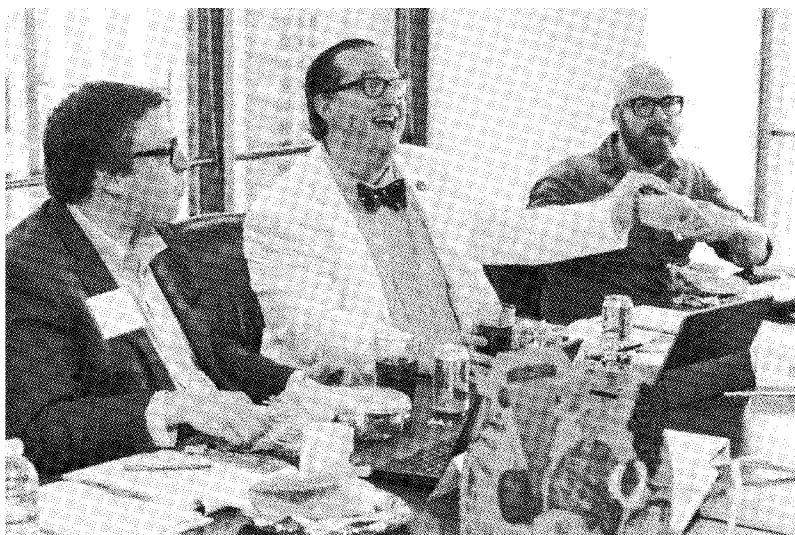
**Kathy Hashimoto**  
Copyright Research Fellow  
Berkeley Center for Law & Technology

**Krista Cox**  
Director of Public Policy Initiatives  
Association of Research Libraries

**Kyle Courtney**  
Copyright Advisor  
Harvard University

**Lila Bailey**  
Legal Counsel  
Internet Archive

**Lydia Loren**  
Professor of Law  
Lewis and Clark Law School



**Mary Minow**  
Fellow, Harvard Advanced Leadership Initiative  
Board Member, Institute of Museum and Library Services

**Michelle Wu**  
Associate Dean for Library Services and Professor of Law  
Georgetown University Law Library

**Molly Van Houweling (remote)**  
Professor of Law, Associate Dean, and Co-Director of the Berkeley Center for Law & Technology  
University of California, Berkeley, School of Law

**Pamela Samuelson**  
Professor of Law & Information and Co-Director, Berkeley Center for Law & Technology  
University of California, Berkeley, School of Law



**Peter Jaszi**  
Professor of Law  
American University Washington College of Law

**Stanley Sater**  
Graduate Student  
Tulane University

**Tomi Aina**  
Graduate Student  
Tulane University

**Tony Reese (remote)**  
Professor of Law  
University of California School of Law

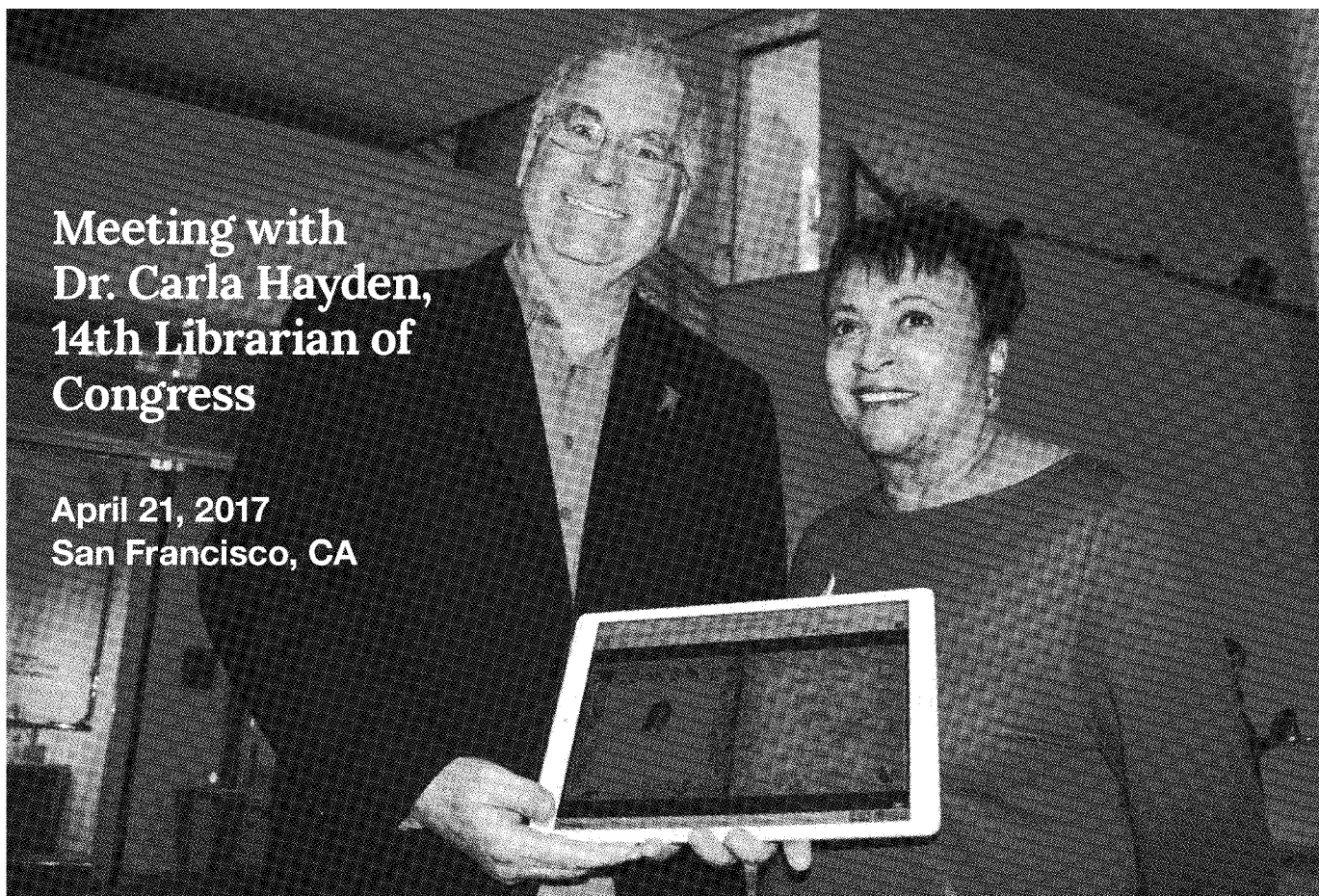
**Wendy Hanamura**  
Director of Partnerships  
Internet Archive





## Meeting with Dr. Carla Hayden, 14th Librarian of Congress

April 21, 2017  
San Francisco, CA



**Dr. Carla Hayden**, Librarian of Congress, holds a digital copy from OpenLibrary.org of her favorite book *Bright April*, by Marguerite de Angelia (1946); with **Brewster Kahle** at the San Francisco Public Library. Earlier this year, the *Open Libraries* team met with Dr. Hayden at the Library of Congress, the world's largest library to discuss digitization strategies.

*"It meant a lot to see a little brown, rather skinny girl, in a Brownie outfit, complete with the beanie—and that's what I had on. Books should be mirrors, and they should be windows."*

--Dr. Carla Hayden,  
Librarian of Congress,  
talking about her favorite  
book "Bright April"



**Dr. Hayden** often talks about *Bright April*, a story about a young African American girl who experiences difficult lessons about racial prejudice. *Open Libraries* plans to curate more diverse stories like this one to add to the nation's digital library shelves.





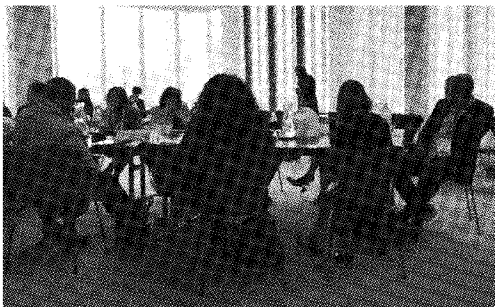
## **American Library Association Annual Meeting**

**June 21-26, 2017  
Chicago, IL**

Some of the library stakeholders calling for a collaborative strategy for controlled digital lending.

***"I have focused throughout my forty-two years of professional work on expanding the accessibility and usability of information through technology....The Internet Archive, throughout its distinguished history, has always been a leader in this arena, setting the standards for access to digitized materials."***

**Jim Neal, President, American Library Association**



The board of the **Public Library Association** met to learn and offer feedback on IA's Open Libraries initiative. During the board meeting, two board members pledged their library's participation in the project: Sacramento Public Library and Multnomah County, OR.



During a hectic Annual meeting with 38,000 participants, the **American Library Association Board of Directors** met to consider *Open Libraries*; they gave it the Association's full endorsement.



The Association of Specialized and Cooperative Library Agencies (**ASCLA**)'s **Consortial Ebook Interest Group** meeting at ALA drew 70 active participants. These are the national decision makers leading ebook strategies for their states.

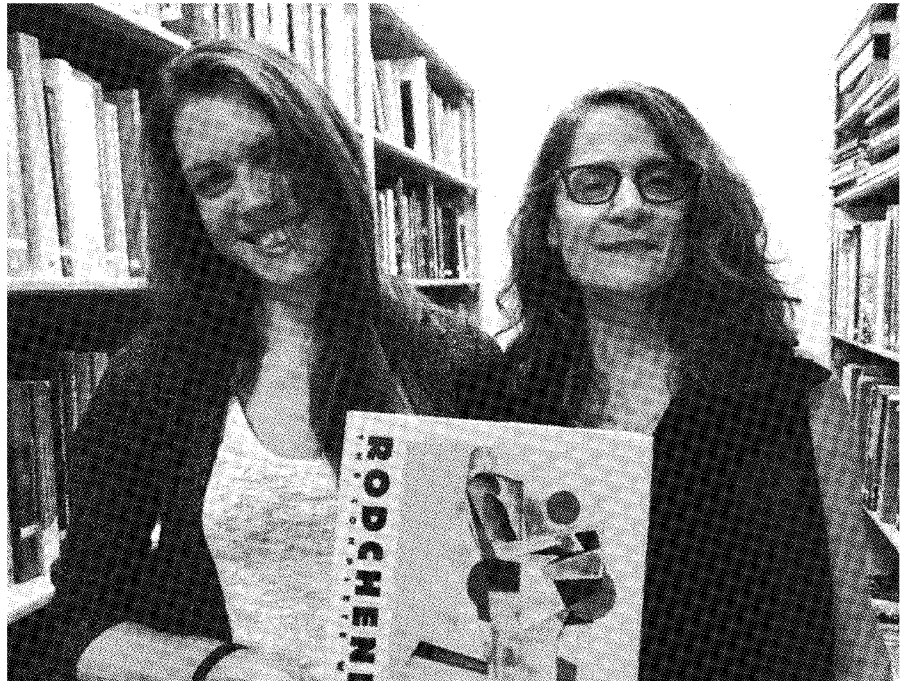


## MIT Press Meeting

April 28, 2017  
Cambridge, MA

*“...this is an incredibly  
important effort of  
vast proportions and  
world-changing  
potential...”*

Amy Brand,  
Director, MIT Press



Kelly Macdougall, Digital Products Coordinator and Director, Amy Brand holding one of the award-winning titles from MIT Press' deep backlist— soon to be digitized and lent at archive.org.

Some of the classic titles from science, architecture and art from MIT Press' 80 years of publishing that will soon be available for lending thanks to a grant from **Arcadia**. When complete, any US library that owns a MIT Press title will be able to offer digital—or physical—access to its many patrons.

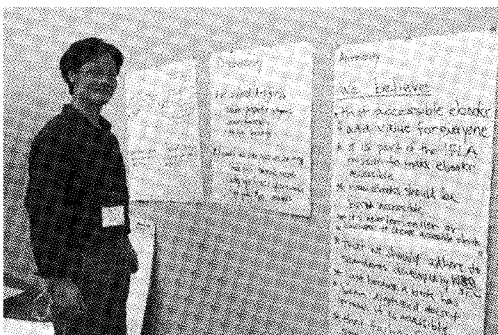
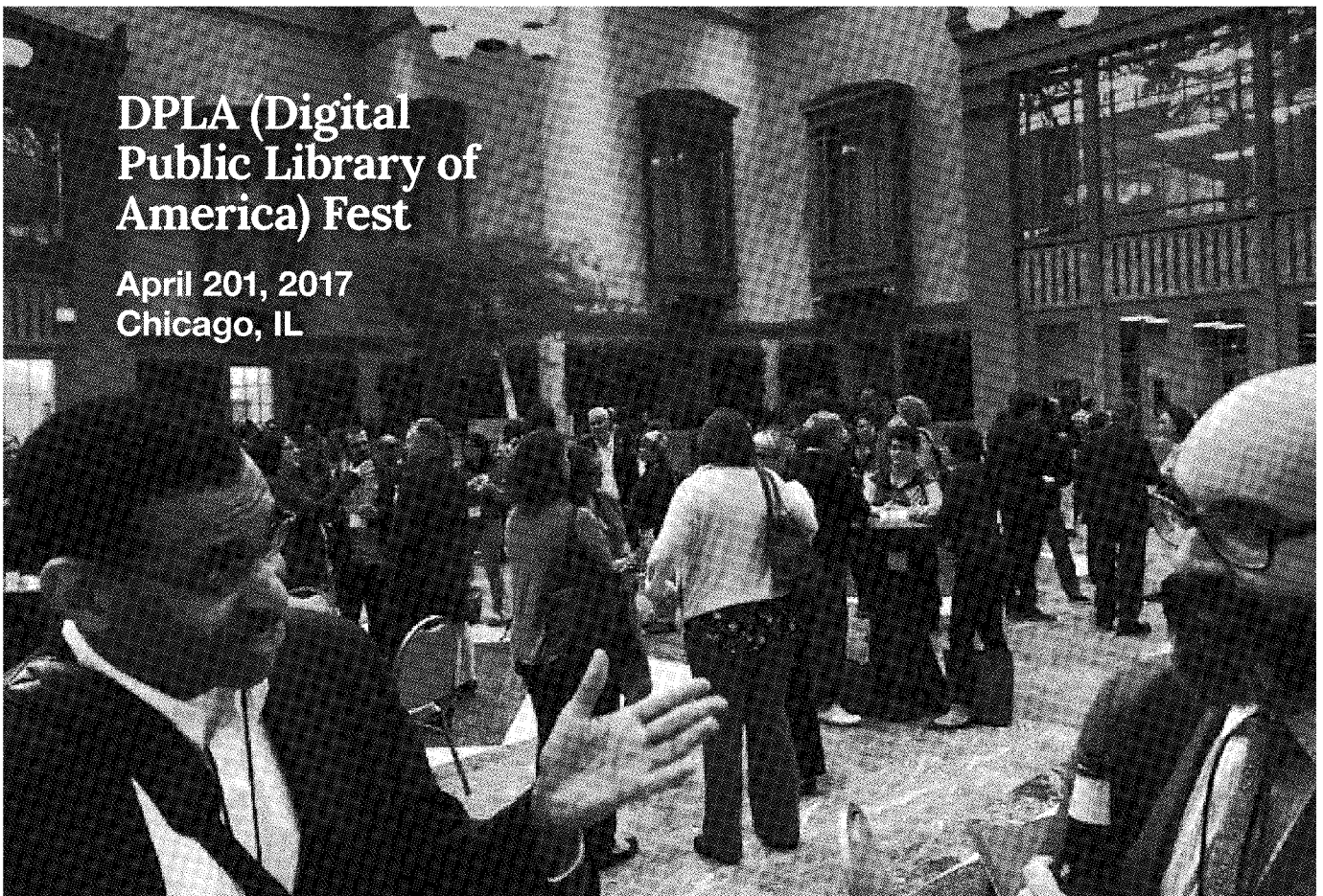


Amy Brand, Director of the MIT Press, and Wendy Hanamura meet in Cambridge, MA to plan the launch of the digitize-and-lend project. MIT Press became the first university press to scan its classic titles and lend them through libraries.



## DPLA (Digital Public Library of America) Fest

April 201, 2017  
Chicago, IL

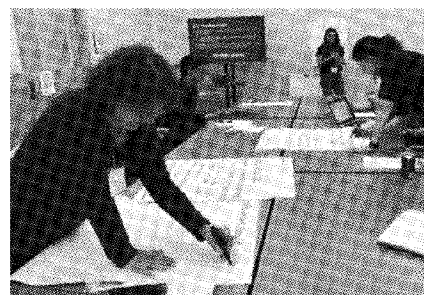
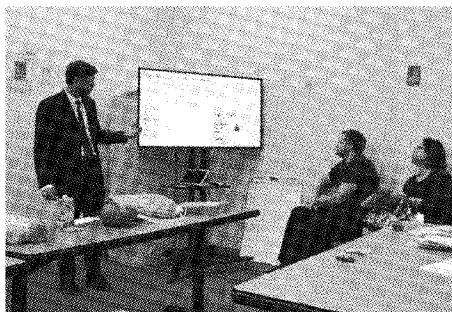


**Brenton Cheng**,  
IA Senior Engineer,  
reports back to  
the group at a  
brainstorming  
session on ebooks  
and accessibility  
at DPLA Fest.

***"As a partner (in Open Libraries,) DPLA brings a rich network of 2,500 libraries, museums and archives that are passionate about expanding the breadth and depth of digitized materials to their patrons."***

**Michele Kimpton**, Acting Executive  
Director, DPLA

**Micah May**, IA  
Ebook Strategist,  
mapping the  
future of ebooks  
to a roomful of  
ebook consortia.



*How do we make books more accessible? That was the topic of one brainstorming session IA joined at DPLA Fest.*



## Technology and Social Change (TASCHA) Group Summit on “Libraries as Platforms of Civic Engagement”

May 9-11, 2017  
Seattle, WA



**John Palfrey**, Head of School at Phillips Academy; **Ana Mari Cauce**, President of the University of Washington; **Carol Palmer**, Professor and Associate Dean for Research at the University of Washington Information School; and **Chris Coward**, Director of the Technology & Social Change Group at the University of Washington.

Global library leaders, Gates Foundation staff, and University of Washington Information School professors spend time with **Wendy Hanamura**, IA Director of Partnerships, to offer insights and suggestions for *Open Libraries*.

*This project offers a unique, large-scale opportunity to provide access to this data through a systematic approach that the research and practice communities can use to investigate and improve the delivery and use of digital knowledge.”*

**Harry Bruce**, Dean and Professor,  
**University of Washington  
Information School**





## **100&Change Advisors Dinner**

**March 31, 2017  
San Francisco, CA**

*"For digital natives, online access—be it on the web, through apps, or via cloud services—is the default mode of reading. If a book is not accessible on-line, it will not be found and used."*  
Abby Smith  
Rumsey

At a dinner for West Coast advisors, **Brewster Kahle** presents an overview of 100&Change and the progress of *Open Libraries*.

## **100&Change Advisors Dinner at ALA Annual**

**June 24, 2017  
Chicago, IL**

A gathering of *Open Libraries* east coast partners and advisors during the ALA Annual in Chicago. The spirited conversation drew from the legal scholars, social scientists, librarians, engineers, authors, publishers and MacArthur staff who attended.





## Access to Knowledge in India and America

June 14, 2017  
San Francisco, CA



*"Let's bring down the barriers and democratize information to educate and enhance quality of life for the people at the bottom of the economic pyramid in rural areas and in disabled communities."*

**Dr. Sam Pitroda**

**Brewster Kahle** and **Carl Malamud** with **Dr. Sam Pitroda** (center), widely regarded as the father of modern communications in India. He helped "bring a phone to every village," vastly improving the lives of every Indian.

**Brewster Kahle**; Hon. Ambassador **Venkatesan Ashok**, Consul General of San Francisco; and **Carl Malamud**, Founder, Public.Resource.org listen to **Dr. Sam Pitroda**, at the dedication of the Digital Library of India Collection. This collection of 465,000 ebooks in 50 languages is now available on archive.org. These books were originally digitized as part of the NSF-funded "Million Books Project." We have become the long-term preservation partner for this government-funded project.



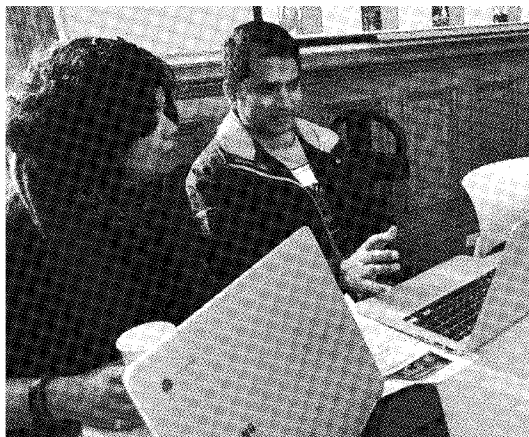


## Whose Knowledge? Dalit Edit-a-thon

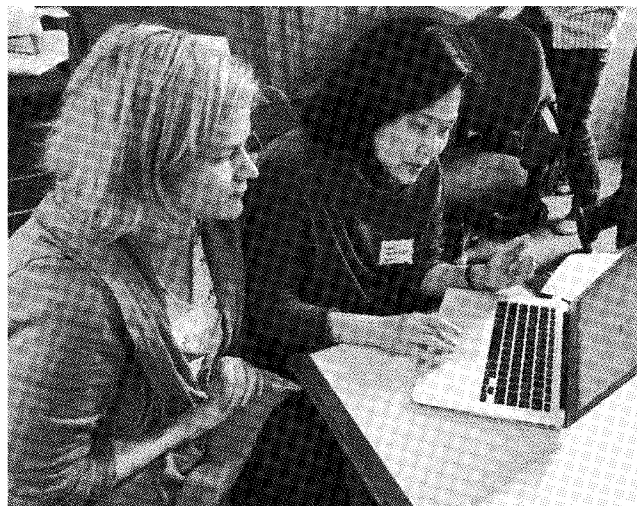
April 15, 2017  
Berkeley, CA

Anasuya Sengupta and Siko Bouterse, co-founders of Whose Knowledge? almost hidden behind a stack of books related to Dalit culture for this editing session. With IA, they hope to bring these critical resources online.

*“Why does the majority of the world not have voice and visibility on Wikipedia and the broader internet? One critical reason is that most of the world does not have easy access to knowledge -- to the sources”*  
--Anasuya Sengupta and Siko Bouterse, co-founders of Whose Knowledge?



IA Advisor, **Anasuya Sengupta**, collaborates with a fledgling Wikipedia editor to bring Dalit histories into relevant Wikipedia articles.



**Wendy Hanamura** and **Heather Wallis**, Communications Director of the Wikimedia Foundation collaborate to improve a Wikipedia article on Dalit history by linking citations to their sources.



# Evidence of Engagement

## Letters of Support

